



UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire thirty days ~~months~~ whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-62 ~~are~~ pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☐ Claim(s) _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☒ Claim(s) 1-62 are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

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DETAILED ACTION

Claims 1-62 are pending in the application.

Election/Restrictions

Restriction to one of the following inventions is required under 35

U.S.C. 121:

- I. Claims 1-5, drawn to products, classified in class 548, subclass
~~453~~^{302.7}
- II. Claims 6-15, drawn to a method, classified in class 514,
various subclasses.
- III. Claims 16-19, drawn to methods, classified in class 514,
various subclasses.
- IV. Claims 20-23, drawn to a method, classified in class 514,
various subclasses.
- V. Claims 24-31, drawn to a method, classified in class 514,
various subclasses.
- VI. Claims 32-36, drawn to products, classified in class 546,
subclass 113+.

VII. Claims 37-46, drawn to a method, classified in class 514,
various subclasses.

VIII. Claims 47-50, drawn to a method, classified in class 514,
various subclasses.

IX. Claims 51-54, drawn to a method, classified in class 514,
various subclasses.

X. Claims 55-62, drawn to a method, classified in class 514,
various subclasses.

The inventions are distinct, each from the other because of the following reasons: the products of Group I and Group VI differ materially in structure and element so much so as to be patentably distinct. In addition, a reference which anticipates one group may not even render obvious the other. Additionally, the products of Group I can be used in materially different processes of using such as the method of Group II or the method of Group III, etc.

Because these inventions are distinct for the reasons given above, have acquired a separate status in the art as shown by their different classification, and the search required for Group I, for example, is not required for Group VI, restriction for examination purposes as indicated is proper.

Additionally, an election of a single disclosed species {ie., Example number, page number and structural depiction} is required from whichever group is elected.

Moreover, whatever specific compound is ultimately elected, applicants are required to list all claims readable thereon.

A telephone call was made to Joshua B. Goldberg on July 25, 2001 to request an oral election to the above restriction requirement, but did not result in an election being made.

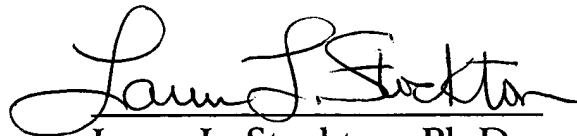
Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

It is suggested that in order to advance prosecution, the non-elected subject matter be canceled when responding to this Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura L. Stockton, Ph.D. whose telephone number is (703) 308-1875.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1235.

A facsimile center has been established. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier numbers for accessing the facsimile machine are (703) 308-4556 or 305-3592.

A handwritten signature in black ink, reading "Laura L. Stockton". The signature is fluid and cursive, with the first name "Laura" and last name "Stockton" clearly distinguishable.

Laura L. Stockton, Ph.D.

Patent Examiner

Art Unit 1626, Group 1620

Technology Center 1600

July 25, 2001